

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNUM LIFE INSURANCE COMPANY,

Plaintiff,

vs.

MARTHA EBBERSON, individually and
as legal guardian of minor children A.Y.,
Ai. Y., and Ar. Y.; and MARVIN L.
YOUNG,

Defendants.

8:20CV51

**FINDINGS, RECOMMENDATION,
AND ORDER**

Plaintiff Unum Life Insurance Company has filed a Motion for Leave to Deposit Funds and for Discharge. (Filing No. 26).

Unum requests that the court declare that following the Clerk's receipt of the identified funds, "Unum, the benefit plan (Select Group Insurance Trust, Policy No. 292000), and the plan sponsor and employer (Prime Therapeutics, LLC) shall each be wholly and completely discharged and absolved from any further liability, of whatsoever nature, to each of the Defendants and any other claimant relating to the benefits under the benefit plan at issue." (Filing No. 26).

Defendants have not responded to Plaintiff's motion, and the deadline for responding has passed. Plaintiff's motion is deemed unopposed.

IT IS ORDERED:

Plaintiff's motion for leave to deposit money into the court, (Filing No. 26), is granted, and

- a. Plaintiff Unum Life Insurance Company may deposit a check in the amount of \$8,499.00 with the Clerk of the Court for the United States

District Court for the District of Nebraska. This represents the principal amount owed for benefits from a basic life and accidental death and dismemberment policy, plus accrued interest as required by law.

- b. Plaintiff Unum Life Insurance Company may deposit a second check in the amount of \$15,176.98 with the Clerk of the Court for the United States District Court for the District of Nebraska. This represents the principal amount owed for benefits from a supplemental life and accidental death and dismemberment policy, plus accrued interest as required by law.
- c. The Clerk is directed to deposit the aforementioned funds into an interest-bearing account until further order of this court pursuant to 28 U.S.C. § 2041 and NECivR 67.1.

IT IS RECOMMENDED to the Honorable Brian C. Buescher, United States District Judge that Plaintiff Unum Life Insurance Company be discharged from this action after depositing the aforementioned funds.

The parties are notified that failing to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of the recommendation.

Dated this 7th day of April, 2020.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge